

arena. This organization, an influential think tank on disabled policy and research issues, is dedicated to eliminating handicappism through equity of opportunity, institutionalizing the full participation of the disabled within our society and ensuring economic parity for the disabled. Under Roberts, the organization conducted research and training on major policy issues, formulated new approaches to disabilities that are based on real-life emergencies and needs, began a disabled youth summer jobs and internship project, encouraged small businesses to identify barriers faced by the disabled and lobbied for small business loans for the disabled. His lobbying efforts gave rise to the Americans with Disabilities Act of 1990, section 504, and other important access laws for the disabled. Carrying his message of independent living, Mr. Roberts traveled worldwide pushing his message for disabled rights in Africa, Australia, Russia, El Salvador, and Japan, just to name a few.

Edward V. Roberts positively changed the perceptions of a whole society and revolutionized society's idea of what persons with disabilities could be. As a role model and leader with a vision, Roberts was committed to building an environment that supports the independence of people with disabilities. Roberts plotted his course early and never veered from his chartered path. He inaugurated a civil rights movement that changed the life of every disabled person and the structure of nearly every street and building in this Nation. Though there are no monuments to the man who launched the disabilities rights movement, we must recognize Mr. Roberts as the man who tried to build a dream that we all could share, now and in all generations to come. We will all mourn this loss.

ALDRICH AMES SPY CASE

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. COMBEST. Mr. Speaker, on November 30, 1994, the Permanent Select Committee on Intelligence issued its report on the Aldrich Ames espionage case. Among the findings of that report was the fact that "the CIA failed to keep the oversight committees fully and currently informed" about the case "despite several instances of pointed questioning by Committee members. The lack of notification extended to the end: Neither the CIA nor the FBI advised the oversight committees of the investigation until shortly before Ames' arrest."

This chilling finding left unanswered the question as to why the oversight committees had not been kept informed, as the law requires: Was it a witting coverup or inadvertent? Although neither answer would be comforting, the Permanent Select Committee on Intelligence deemed it necessary to close out this unanswered question with regard to the Ames case.

Despite the heavy press of business the committee's staff and Members made this a priority at the outset of this Congress. After extensive work by the staff and a review by the committee, the committee voted unanimously on May 11, 1995, to release the following statement:

CONGRESSIONAL OVERSIGHT OF THE ALDRICH AMES SPY CASE

On February 21, 1994, Aldrich Ames was arrested and charged with violating U.S. espionage laws and spying for the former Government of the Soviet Union and the Government of Russia. Since that date, the Committee has conducted an aggressive inquiry to determine what went wrong in the Ames case and how to fix it. In November 1994, we issued an exhaustive report that had specific recommendations for remedial action. The Intelligence Community and the FBI have taken significant steps to address problems we highlighted in our report. The remedial actions have had a positive effect on counterintelligence issues.

One issue, in particular, surfaced during our inquiry that necessitated additional follow-up: that is, whether the CIA violated Section 502 of the National Security Act of 1947 and whether that violation was intentional. Section 502 requires that the Congress be informed of "all intelligence activities . . . including . . . any significant intelligence failure." At a full committee hearing on February 7, 1995, and in correspondence with this committee, Acting Director of Central Intelligence Admiral Studeman has stated that the CIA failed to meet this statutory obligation.

The CIA's admission of its violation of Section 502 led us to the next question, whether this failure was intentional. The Committee has interviewed a wide range of current and former CIA officials involved in the Ames case. We also reviewed the voluminous reporting that we have received on the Ames case. This examination produced no evidence that any former Director of Central Intelligence, Deputy Director of Central Intelligence, or Deputy Director for Operations made a decision to withhold information about the loss of Soviet assets in 1985 and 1986 and the resulting investigation from this Committee.

At lower levels of the CIA, where the counterintelligence investigation was being conducted, it appears that no one ever thought to bring this matter to the Committee's attention. Five Members of this Committee asked precisely the right questions about espionage problems at CIA during the CIA's own investigation: former Chairman Anthony Beilenson; two ranking Members, Representatives Henry Hyde and Bud Shuster; and two Committee members, Representative Dick Cheney and Larry Combest. At a minimum, what is clear is that, at certain levels, CIA officials did not understand the requirements of the law. The CIA is taking steps to ensure that all employees are aware of Section 502. Moreover, it is important to note that it is not the responsibility of the Committee "to ask the right questions." The onus lies with the Intelligence Community to be forthcoming vis-a-vis its oversight responsibilities.

The Committee is taking the following additional actions:

We have prepared a letter for the new DCI, John Deutch, drawing his attention to Section 502 and the transcript of the February 7, 1995 hearing. We are confident that the new DCI will be vigilant in ensuring that the mandates of Section 502 are followed. Notification is not merely a matter of law, but is also a matter of common sense. Senior CIA officials must bring matters to the attention of the Congress when there is any "significant intelligence failure." This raises the corollary issue of ensuring that all officers of the CIA understand that they will be held accountable for the management of their operations, as Admiral Studeman has already informed personnel of the CIA. The new DCI has also pledged to make accountability a focus of his management policies.

The Committee has a continuing interest in the Ames case. A full briefing on the results of the Intelligence Community's damage assessment will be received later this year. Following that briefing, the Committee will determine if there is additional legislative or other remedial action that is required.

The Committee will also continue to monitor the counterintelligence reforms that have been put in place by the CIA, the Intelligence Community and the FBI to ensure that there is no backsliding on this matter.

MEDICARE DEPENDENT HOSPITAL RELIEF ACT OF 1995

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday May 16, 1995

Mr. SHAW. Mr. Speaker, I rise today to introduce timely legislation that will allow Medicare dependent hospitals, defined as hospitals with Medicare patient loads of 60 percent or more, to be reimbursed more fairly under the Prospective Payment System [PPS]. These hospitals, both rural and urban, have significantly higher Medicare losses and lower overall Medicare margins than other hospitals. This disparity threatens the viability of these hospitals and the access to, and the quality of, care for Medicare beneficiaries.

This legislation, which I am introducing in conjunction with my good friend from Florida, Senator BOB GRAHAM, is titled the Medicare Dependent Hospital Relief Act of 1995. To remedy the problem facing Medicare dependent hospitals, this bill includes three main provisions. First, Medicare dependent hospitals will be statutorily defined as hospitals with Medicare patients loads representing 60 percent or more of total patient days. Second, each year the Prospective Payment Assessment Commission [ProPAC] will compute, and the Health Care Financing Administration [HCFA] will implement, separate PPS updates for Medicare dependent hospitals and other hospitals. The update for Medicare dependent hospitals will have to make the average Medicare loss for those hospitals equal to the average Medicare loss for all hospitals. The computation and implementation will be budget neutral, thus this bill will not create additional costs. Third, ProPAC's annual report to Congress will include recommendations to ensure that beneficiaries served by Medicare dependent hospitals retain the same access and quality of care as Medicare hospital patients nationwide.

The need for this legislation is simple. Between 1983 and 1988, Medicare phased in the PPS to replace cost-based reimbursements with prospective, or pre-determined, payments to contain costs and encourage efficiency. Various PPS adjustments have produced wide variations in hospital profits and losses from Medicare. Medicare dependent hospitals, as a group, have been at a distinct disadvantage. While hospitals on average lose 2.73 percent on their Medicare business, Medicare dependent hospitals lose much more: on average, those Medicare dependent hospitals with 60-64 percent Medicare loads lose 4.57 percent, while those with 65 percent or greater Medicare loads lose 5.45 percent. Medicare dependent hospitals have less ability to offset